

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES WIDTFELDT, and JAMES WIDTFELDT TRUST,)	
)	
Plaintiffs,)	8:05CV49
)	
V.)	
)	
MICHAEL JOHANNS, in his capacity as Secretary of the United States Department of Agriculture, UNITED STATES DEPARTMENT OF AGRICULTURE, MONTE FLETCHER, in his official capacity as Holt County Executive Director of the United States Farm Service Agency, an Agency of the United States Department of Agriculture,)	MEMORANDUM AND ORDER
RICHARD KILMURRY, BONNY KILMURRY, HILGER BROTHERS PARTNERSHIP, GARY A. BURIVAL, JOYCE A. BURIVAL, and EDWIN BURIVAL,)	
)	
Defendants.)	
)	

This matter is before the court on plaintiff James Widtfeldt's Motion for a New Trial, Amendment of Judgment (Filing No. 49). Because there was never a trial in this case, the court presumes that plaintiff meant to file his motion as a motion for reconsideration. The court has carefully reviewed plaintiff's motion and Affidavit (Filing No. 50) and concludes that the motion to reconsider is without merit. Therefore, plaintiff's motion is denied.

IT IS ORDERED:

1. That plaintiff's motion for a New Trial, Amendment of Judgment (Filing No. 49) is denied; and
2. The Clerk of Court is directed to send a copy of this Memorandum and Order to plaintiff at his last known address.

DATED this 4th day of January, 2007.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge